

Recommendation, as well as the record, and it agrees with Magistrate Judge Lee's well-reasoned conclusions.

Accordingly,

- The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b);
- Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. 2) is **DENIED**;
- Plaintiff **SHALL** be responsible for payment of the \$400.00 filing fee in this case;
- Plaintiff **SHALL** be permitted to pay such fee in \$100.00 increments, on the following schedule:
 - Plaintiff's first payment **SHALL** be made **no later than February 19, 2016**;
 - Plaintiff's second payment **SHALL** be made **no later than March 18, 2016**;
 - Plaintiff's third payment **SHALL** be made **no later than April 15, 2016**;
 - Plaintiff's final payment **SHALL** be made **no later than May 13, 2016**;
- The Clerk is hereby **DIRECTED** to issue the summons in this action upon proper presentation by Plaintiff and upon timely receipt of Plaintiff's first \$100.00 installment payment;
- Plaintiff **SHALL** be responsible for the service of the summons and complaint upon Defendant, pursuant to Federal Rule of Civil Procedure 4, at her own expense;
- Plaintiff is hereby **ON NOTICE** that failure to timely remit any of the above described installment payments will likely result in the immediate dismissal of this action for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

R. Civ. P. 72(b)(2); *see also Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings"). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which Plaintiff could timely file objections has now expired.

SO ORDERED this 22nd day of January, 2016.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE